

#14
DuCERTIFICATE OF FACSIMILE TRANSMITTAL

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of October, 2003.

Printed Name Joyce FORDSigned: Joyce Ford**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Warner et al.

) Examiner: Marcus Charles

)

) Art Unit: 3682

)

)

Serial No.: 09/752,136

Filed: December 27, 2000

)

)

For: **VARIABLE SPEED DRIVE
SYSTEM**

) Attorney Docket: 12052/04000

)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FAX RECEIVED**OCT 31 2003****PETITIONS OFFICE****RENEWED PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
UNDER 37 CFR 1.81****REQUEST**

In response to a "Decision on Petition to Withdraw the Holding of Abandonment" mailed on October 17, 2003, Applicant renews Applicant's request that the abandonment in this case be withdrawn. Applicant has attached a request and the documents to support the request, the request and documents being previously filed by U.S. mail on July 10, 2003. This renewed petition also includes a statement attesting to the personal knowledge of transmitting the response on the date indicated, by the person who signed the certificate which was previously not provided. The documents include:

{JXB1644.DOC;1}

- 1) A copy of the page of the response mailed on December 26, 2002, showing a Certificate of Mailing executed on December 26, 2002.
- 2) A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated December 31, 2002.
- 3) A copy of the complete response previously filed.
- 4) A copy of the first Request for Withdrawal of Abandonment.
- 5) A copy of PAIR summary sheet showing entry (7/14/03) of Withdrawal Request submitted by U.S. mail.
- 6) A copy of the Decision on Petition to Withdraw the Holding of Abandonment.
- 7) A verified statement of Jacqueline K. Boziak, the individual who signed the certificate transmitting the response on the date indicated on the certificate.

STATEMENT

Based on personal knowledge the Transmittal and Amendment (copies of which are attached) were transmitted by first class mail on December 26, 2002 and retransmitted on June 30, 2003 as part of a Request for Withdrawal of Abandonment and refaxed on October 6, 2003. These mailings were timely responses to the Examiner's Office Action dated December 31, 2002 and Notice of Abandonment dated July 29, 2003. Please proceed with further examination of this application on the basis of the attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Acknowledgement of the active status of this application is respectfully requested. It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.


James A. Balazs (Reg. No. 47,401)

10/31/03

Customer No. 24024



24024

PATENT TRADEMARK OFFICE

CERTIFICATE OF TRANSMITTAL

I hereby certify that this document is being transmitted via First Class Mail to the Commissioner of Patents, Washington, DC 20231, on this 26th day of December, 2002.

Gaigueline K. Boyer

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Warner et al.

Group Art Unit: 3682

Serial No. 09/752,136

Examiner:

Filed: December 27, 2000

Docket No. 12052/04000

Title: VARIABLE SPEED DRIVE SYSTEM

TRANSMITTAL OF RESPONSE AND AMENDMENT

Commissioner of Patents
Washington, D.C. 20231

FAX RECEIVED

OCT 31 2003

PETITIONS OFFICE

Sir/Madam:

Following documents, enclosed herewith, are submitted in response to the Office Action dated September 25, 2002:

- (1) Response and Amendment (9 pages);
- (2) Marked Specifications and Claims (3 pages);
- (3) Drawings (2 pages);
- (4) Fee Transmittal (1 page); and
- (5) A return receipt postcard.

Additional fees are due for three new dependent claims (small entity rate) in connection with this amendment. The Examiner is authorized to charge deposit account 03-0172 for these fees. In the event that any additional extension is required, please treat this Transmittal Letter as a request for such additional extension.

Respectfully submitted,

James A. Balazs

James A. Balazs, Reg. No. 47,401
CALFEE, HALTER & GRISWOLD
800 Superior Avenue, Suite 1400
Cleveland, Ohio 44114-2688
(216) 622-8527

This document is being deposited with the United States Postal Service with sufficient postage via First Class Mail addressed to Assistant Commissioner of Patents, Washington, D.C. 20231, on this 21st day of December, 2002. With a certificate of mailing.

In re application of Warner et al.
Serial No.: 09/752,136
Filed: December 27, 2000
CH&G Ref.: 12052/04000 (JAB:jkb)



Please acknowledge receipt of the following:

- Transmittal in duplicate (1 page)
- Amendment (14 pages)
- Fee Transmittal (1 page)
- Return Receipt Postcard

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GROUP 3600

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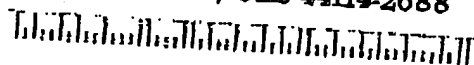
JAN 06 2003

L.A.K. IP. Dept.



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441142688





24024

PATENT TRADEMARK OFFICE

CERTIFICATE OF TRANSMITTAL

I hereby certify that this document is being transmitted via First Class Mail to the Commissioner of Patents, Washington, DC 20231, on this 26th day of December, 2002.

Jaqueline K. Boyer

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	Warner et al.	:	Group Art Unit: 3682
Serial No.	09/752,136	:	Examiner:
Filed:	December 27, 2000	:	Docket No. 12052/04000
Title:	VARIABLE SPEED DRIVE SYSTEM	:	

TRANSMITTAL OF RESPONSE AND AMENDMENT

Commissioner of Patents
Washington, D.C. 20231

Sir/Madam:

Following documents, enclosed herewith, are submitted in response to the Office Action dated September 25, 2002:

- (1) Response and Amendment (9 pages);
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OCT 31 2003

PETITIONS OFFICE

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Respectfully submitted,

James A. Balazs

James A. Balazs, Reg. No. 47,401
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(216) 622-8527



24009417 (10-01)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision</i>		Complete (if Known)	
		Application Number	09/752,136
TOTAL AMOUNT OF PAYMENT (\$0.00)		Filing Date	December 27, 2000
		First Named Inventor	Warner
		Examiner Name	
		Group Art Unit	3682
		Attorney Docket No.	12052/04000
		PETITIONS OFFICE	

METHOD OF PAYMENT 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 03-0172 Deposit Account Name: <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		FEE CALCULATION (continued) 3. ADDITIONAL FEES	
2. EXTRA CLAIM FEES Total Claims: Independent Claims: Multiple Dependent Claims: Large Fee Code: 103, 102, 104, 109, 110 Entity Fee (\$): 18, 84, 280, 84, 18 Small Fee Code: 203, 202, 204, 209, 210 Entity Fee (\$): 203, 202, 204, 209, 210 Fee Description: Claims in excess of 20, Independent claims in excess of 3, Multiple dependent claim, if not paid, Reissue independent claims over original patent, Reissue claims in excess of 20 and over original patent SUBTOTAL (2): 527.00		Fee Code, Fee (\$), Fee Code, Fee (\$), Fee Description, Fee Paid 105, 130, 205, 65, Surcharge - late filing fee or oath 127, 50, 227, 25, Surcharge - late provisional filing fee or cover sheet 139, 130, 139, 130, Non-English specification 147, 2,520, 147, 2,520, For filing a request for ex parte reexamination 112, 920*, 112, 920*, Requesting publication of SIR prior to Examiner action 113, 1,840*, 113, 1,840*, Requesting publication of SIR after Examiner action 115, 110, 215, 55, Extension for reply within first month 116, 400, 216, 200, Extension for reply within second month 117, 920, 217, 460, Extension for reply within third month 118, 1,440, 218, 720, Extension for reply within fourth month 128, 1,960, 228, 980, Extension for reply within fifth month 119, 320, 219, 160, Notice of Appeal 120, 320, 220, 160, Filing a brief in support of an appeal 121, 280, 221, 140, Request for oral hearing 138, 1,510, 138, 1,510, Petition to institute a public use proceeding 140, 110, 240, 55, Petition to revive - unavoidable 141, 1,280, 241, 640, Petition to revive - unintentional 142, 1,280, 242, 640, Utility issue fee (or reissue) 143, 460, 243, 230, Design issue fee 144, 620, 244, 310, Plant issue fee 122, 130, 122, 130, Petitions to the Commissioner 123, 50, 123, 50, Processing fee under 37 CFR 1.17(g) 126, 180, 126, 180, Submission of Information Disclosure Sheet 581, 40, 581, 40, According each patent assignment per property (times number of properties) 146, 740, 246, 370, Filing a submission after final rejection (37 CFR § 1.129(a)) 149, 740, 249, 370, For each additional invention to be examined (37 CFR § 1.129(b)) 179, 740, 279, 370, Request for Continued Examination (RCE) 169, 900, 169, 900, Request for expedited examination of a design application Other fee (specify): SUBTOTAL (3): (\$)	

SUBMITTED BY Name (Print/Type): James A. Balazs Signature: James Balazs		Registration No. (Attorney/Agent): 47,401	Complete (if applicable) Telephone: (216) 622-8200 Date: 12/26/02	
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



24024

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on this 26th day of December, 2002.

Typed or Printed name of person signing this certificate:

Jacqueline K. Boziah

Signature

Jacqueline K. Boziah**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Warner et al.

) Examiner: Marcus Charles

)

) Art Unit: 3682

)

)

Serial No.: 09/752,136

)

Filed: December 27, 2000

)

For: **VARIABLE SPEED DRIVE
SYSTEM**

) Attorney Docket: 12052/04000

)

Assistant Commissioner for Patents
Washington, D.C. 20231**FAX RECEIVED****OCT 31 2003****AMENDMENT**

PETITIONS OFFICE

Mr. Charles:

In response to the Office Action dated September 25, 2002 for the above-identified patent application, reconsideration of this application is respectfully requested.

In the Specification:

Please amend the "Brief Description of the Figures" on pages 3-5 as follows:

FIG. 1 is a schematic view of the variable speed drive system showing sectional views of the controllable and auto-tensioning pulleys;

FIG. 2 is a schematic view of the controllable and auto-tensioning pulleys and various accessories;

FIG. 3 is a sectional view of an embodiment of the invention using a counterweight system;

FIG. 4 is a sectional view of an embodiment of the invention using a non-rotating chamber system;

FIG. 5 is a sectional view of an embodiment of the invention using a second embodiment of the non-rotating chamber system;

FIG. 6 is a sectional view of an embodiment of the invention using a non-rotating chamber located adjacent to the mounting point of the controllable pulley;

FIG. 7A is a sectional view of an embodiment of the invention using a hydraulic or pneumatic cylinder to move a contact flange;

FIG. 7B is a sectional view of a second embodiment of the invention using a hydraulic or pneumatic cylinder to move a contact flange;

FIG. 7C is a sectional view of a third embodiment of the invention using a hydraulic or pneumatic cylinder to move a contact flange;

FIG. 8 is a sectional view of an embodiment of the invention using an electro-mechanical linear actuation device to move a contact flange;

FIG. 9 is a sectional view of an embodiment of the invention using a thermally responsive material to move a contact flange;

FIG. 10 is a sectional view of an embodiment of the invention using a magnetic actuation device to move a contact flange;

FIG. 11 is a sectional view of an embodiment of the invention using a pulley with two movable contact flanges;

FIG. 12 is a sectional view of an embodiment of the invention using a pulley with two hydraulically movable contact flanges;

FIG. 13 is a sectional view of an embodiment of the invention using two controllable pulleys;

FIG. 14 is a sectional view of an embodiment of the invention using a spring venting system;

FIG. 15 is a schematic view of an the variable speed drive system showing sectional views of an embodiment of the controllable and auto-tensioning pulleys;

FIG. 16 is a perspective view of a vehicle into which the variable speed drive system may be installed; and

FIG. 17 is a schematic view including an engine and pulleys of the variable speed drive system.

In the Drawings:

Please add new informal figures 16 and 17 as attached.

In the Claims:

Please amend claims 1, 14 and 17 as follows:

1. A variable speed drive system for driving accessories comprising:

- a rotational member;
- a controllable pulley in rotational communication with said rotational member, said controllable pulley including a first movable flange and a corresponding adjustable pitch radius;
- an auto-tensioning pulley driven by said controllable pulley via a first belt, said auto-tensioning pulley including a first movable flange and spring for maintaining tension in said first belt and said auto tensioning pulley having an operating speed which is infinitely variable between a minimum pitch ratio and a maximum pitch ratio;
- an actuating system for moving said first movable flange of said controllable pulley; and
- one or more accessories which are driven by said auto-tensioning pulley via a second belt.

14. A variable speed drive system for driving engine accessories comprising:

- an engine;
- a first controllable pulley in rotational communication with said engine, said first controllable pulley including a first movable flange and a corresponding adjustable pitch radius;
- a second controllable pulley driven by said first controllable pulley via a first belt, said second controllable pulley having a second movable flange, and an operating speed which is infinitely variable between a minimum pitch ratio and a maximum pitch ratio;
- a first electro-mechanical actuating system for moving said first movable flange;
- a second electro-mechanical actuating system for moving a second movable flange; and
- a belt driving sheave attached to said second controllable pulley which drives one or more accessories via a second belt

17. A variable speed drive system for driving accessories comprising:

- a rotational member;
- an auto-tensioning pulley in rotational communication with said rotational member, said auto-tensioning pulley for maintaining tension in a first belt;
- a controllable pulley driven by said auto-tensioning pulley via said first belt, said controllable pulley including a first movable flange and a corresponding adjustable pitch radius, and said controllable pulley having an operating speed which is infinitely variable between a minimum pitch ratio and a maximum pitch ratio;
- an actuating system for moving said first movable flange;
- a control logic module for receiving data from one or more sensing devices and for signaling the actuating system; and
- one or more accessories which are driven by said controllable pulley via a second belt.

Please add the following new claims:

33. The variable speed drive system of claim 5 wherein one of the driven accessories is a vehicle power steering pump which is also said hydraulic pump located remotely from said controllable pulley.
34. The variable speed drive system of claim 10 further comprising a control logic module for receiving data from one or more sensing devices and for signaling the actuating system, said control logic module being the vehicle's on-board electronic engine control module.
35. The variable speed drive system of claim 6 wherein said sensing devices measure the speed of the driven accessories.

REMARKS

This Amendment is responsive to the Office Action of September 25, 2002. The Examiners determination of allowability of claims 11 and 12 if rewritten in independent form is acknowledged and appreciated. Reconsideration of the rejections of Claims 1-10 and 13-17 is respectfully requested. Additionally, consideration of Claims 31 and 32, submitted by

Preliminary Amendment on July 19, 2002, is requested. By this Amendment Claims 1, 14, 17 have been amended. New Claims 33-35 have been added. New Claims 33-35 do not add new matter. Allowance of the claims of this application is requested.

Consideration of Claims Previously Submitted by Preliminary Amendment

Applicant submitted new claims 31 and 32 by Preliminary Amendment on July 19, 2002. Applicant included a check in the amount of \$36.00 for these additional claims. Claims 31 and 32 were not considered as part of the Office Action of September 25, 2002. Applicant respectfully requests consideration of these claims. Claims 31 and 32 are reproduced below for the Examiner's convenience:

31. The variable speed drive system of claim 1 wherein said actuating system comprises an electromechanical linear actuation device.

32. The variable speed drive system of claim 3 further comprising a non-rotating chamber system.

Drawing Addition

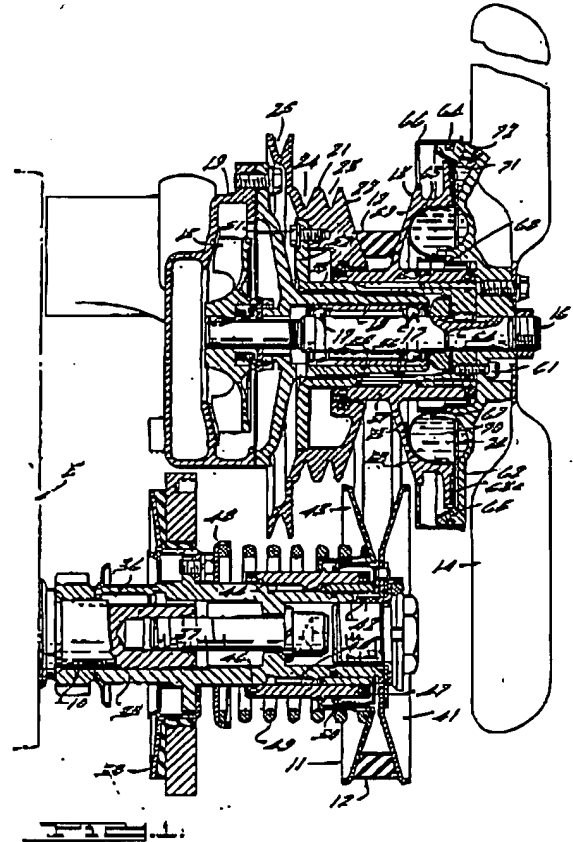
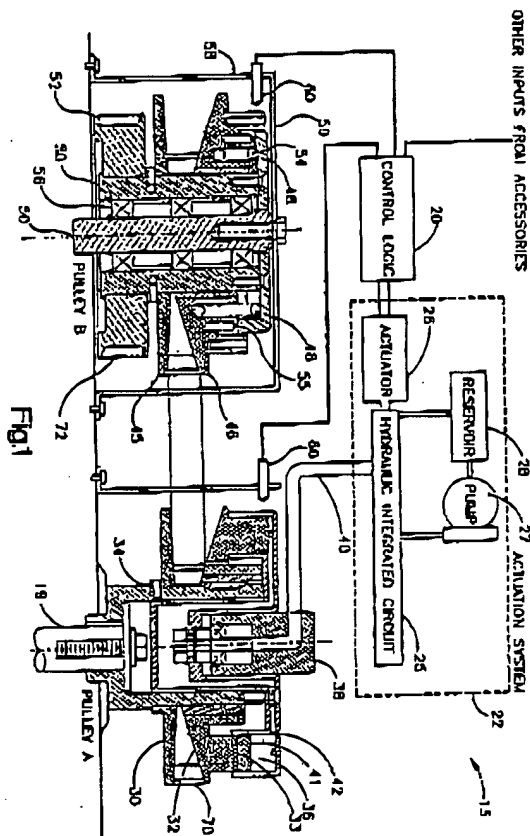
Attached are proposed new drawings, Figures 16 and 17. Figures 16 and 17 include claimed features of the invention including "the vehicle" and "the engine" as claimed in Claims 9, 10 and 13. The proposed new drawings add no new matter.

The §102 Rejections

Reconsideration of the rejection of independent claim 1 as being anticipated under 35 U.S.C. §102 over U.S. Patent 2,909,071 to Smyth et al. [hereinafter Smyth] is respectfully requested.

The Examiner has rejected Claim 1 stating that Smyth discloses all elements of the claim. Applicant respectfully disagrees. Smyth does not disclose every element of claim 1 as amended. Smyth does not disclose an auto-tensioning pulley which drives one or more accessories. Applicant's system and the system of Smyth are reproduced below. Applicant has amended Claim 1 to describe Applicant's auto-tensioning pulley in more detail. The auto-tensioning pulley (labeled Pulley B) of Claim 1 includes a movable flange 46 and spring 54 for maintaining

tension in a first belt 70 which drives the auto-tensioning pulley. Applicant's auto-tensioning pulley is used to drive accessories. Accessories in the Smyth patent are driven by pulley 13. Pulley 13 is not an auto-tensioning pulley. Pulley 13 does not include a movable flange and spring for maintaining tension in a belt. Pulley 13 only discloses hydraulic means for moving a flange in pulley 13. Thus, the driving of accessories by an auto-tensioning pulley of Applicant's Claim 1 is not disclosed in Smyth. Reconsideration of Claim 1 is requested.



Reconsideration of the rejection of Claims 2 is respectfully requested. Claim 2 depends directly from Claim 1 which is believed allowable for the reasons set forth above.

Reconsideration of the rejection of dependent Claim 7 over Smyth '071 is respectfully requested. Claim 7 includes a controllable pulley with first and second movable flanges. The system of Smyth includes two pulleys, however each only includes one movable flange. Pulley

11 includes movable flange 43 and pulley 13 includes movable flange 58. However, neither pulley includes first and second movable flanges. Reconsideration is requested.

Reconsideration of the rejection of dependent Claims 9, 10 and 13 is respectfully requested. Claims 9, 10 and 13 depend directly from Claim 1 which is believed allowable for the reasons set forth above.

Reconsideration of the rejection of independent claim 14 as being anticipated under 35 U.S.C. §102 over Smyth '701 is respectfully requested. Claim 14, as amended, includes a system with first and second controllable pulleys and first and second electromechanical actuating systems for moving movable flanges on the pulleys. Smyth does not disclose a system with two controllable pulleys with electro mechanical actuating systems. Reconsideration is requested.

Reconsideration of the rejection of dependent Claim 15 over Smyth is respectfully requested. Claim 15 includes at least one controllable pulley with first and second movable flanges. As previously stated, the system of Smyth includes two pulleys, however each only includes one movable flange. Reconsideration is requested.

Claim 17 has been amended to include the limitation described in Claim 4. This limitation incorporated in Claim 17 is not disclosed by the prior art for the same reasons, stated below, why the limitation of Claim 4 is not disclosed.

The §103 Rejections

Reconsideration of the rejection of Claims 3 and 5 as obvious under 35 U.S.C. §103(a) over Smyth '071 in further view of U.S. Patent 5,971,876 to Spiess et al. [hereinafter Spiess] is respectfully requested. Claims 3 and 5, claim a variable speed drive system for driving accessories with an actuating system comprising hydraulic components. The Examiner states that it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the hydraulic components Spiess within the system of Smyth. Applicant respectfully disagrees.

First, an application using hydraulic controls for only a single pulley in a dual pulley variable speed transmission is not taught by Spiess. Spiess teaches a circuit of pumped hydraulic fluid for varying the clamping force ratio between two pulleys in a transmission system. The

clamping force in *both* pulleys is controlled. Adding the hydraulic circuit of Spiess where both pulleys are controlled via pressurized hydraulic fluid to Smyth would defeat the function of Smyth. The desired centrifugal forces, in the driven pulley, taught by Smyth would be overcome by the forces generated within pressurized hydraulic circuit of Spiess.

Further, there is no motivation in Smyth to utilize the teachings of Spiess. Smyth includes an efficient spring-based system, in the driving pulley, which would not be improved by Spiess' hydraulic system. Smyth states:

As the engine speed increases a speed is reached where the centrifugal force of the rotating fluid mass within the diaphragm 63 of pulley 13 overcomes the belt transmitted opposing force of the spring 49 and then the fluid mass in chamber 70 (Fig. 1) is centrifuged radially outwardly to a new position ... Spring 49 will be compressed as the fluid mass is moved radially outwardly to its chamber 70' position and at the same time the axially shiftable disc 58 will be moved to the left towards the pulley element 21. Movement of the shiftable disc 58 to the left wedges the endless belt 12 radially outwardly along the belt faces 22, 59 of pulley 13 and at the same time pulls the endless belt 12 radially inwardly along the faces 41, 43 of the pulley 11 and compresses spring 49 of pulley 11.

A hydraulic system would likely not be as simple and efficient as a spring in providing a resistance force which may be overcome, resulting in a change in position of shiftable disc and a corresponding increase of resistance force. Thus, one of ordinary skill in the art would not be motivated to replace a spring providing these functions with a hydraulic circuit in a variable speed drive system. Reconsideration is requested.

Reconsideration of the rejection of Claims 4 and 6 as obvious under 35 U.S.C. §103(a) over Smyth '071 in further view of U.S. Patent 5,366,416 to Roovers et al. [hereinafter Roovers] is respectfully requested. Claims 4 and 6 include a control logic module for receiving data from one or more sensing devices and for signaling the actuating system. The Examiner states that it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the control logic of Roovers within the system of Smyth. Applicant respectfully disagrees.

First, an application using a control logic module for only a single pulley in a dual pulley variable speed transmission is not taught by Roovers. Further Smyth describes an accessory driving system that varies inversely with engine speed. Smyth achieves this by moving a pulley

flange with centrifugal force, which is solely a function of engine speed. There is no motivation within Smyth to add control logic to this system or to monitor pressure within its hydraulic chambers or other parameters. As a result, it is not obvious to combine the teachings of Roovers with Smyth. Reconsideration is requested.

Reconsideration of the rejections of Claims 16 is respectfully requested. Claim 16 depends directly or indirectly from amended Claim 14 which is believed allowable for the reasons set forth above.

Reconsideration of the rejection of Claims 8 is respectfully requested. Claim 8 depends directly or indirectly from Claim 1 which is believed allowable for the reasons set forth above.

New Claims 33-35

New claims 33 and 34 claim specific elements of the variable speed drive system as vehicle components. Claim 35 claims one of the functions of the claimed sensing devices. The new claims do not introduce new matter. Allowance of new claims 33-35 is requested. Additional fees are due for three new dependent claims (small entity rate) in connection with this amendment. The Examiner is authorized to charge deposit account 03-0172 for these fees.

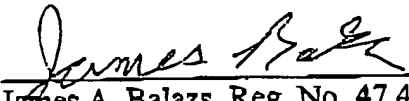
CONCLUSION

For the reasons set forth above, Claims 1-17 and 31-35 patentably and unobviously distinguish over the references of record and are in condition for allowance. Notice to that effect is respectfully requested. No fees are believed due in connection with this amendment. However, in the event additional fees are due, the Examiner is authorized to charge deposit account 03-0172.

Respectfully Submitted,

Date: _____

12/26/02


James A. Balazs, Reg. No. 47,401

Marked Specification

FIG. 1 is a schematic view of the variable speed drive system showing sectional views of the controllable and auto-tensioning pulleys;

FIG. 2 is a schematic view of the controllable and auto-tensioning pulleys and various accessories;

FIG. 3 is a sectional view of an embodiment of the invention using a counterweight system;

FIG. 4 is a sectional view of an embodiment of the invention using a non-rotating chamber system;

FIG. 5 is a sectional view of an embodiment of the invention using a second embodiment of the non-rotating chamber system;

FIG. 6 is a sectional view of an embodiment of the invention using a non-rotating chamber located adjacent to the mounting point of the controllable pulley;

FIG. 7A is a sectional view of an embodiment of the invention using a hydraulic or pneumatic cylinder to move a contact flange;

FIG. 7B is a sectional view of a second embodiment of the invention using a hydraulic or pneumatic cylinder to move a contact flange;

FIG. 7C is a sectional view of a third embodiment of the invention using a hydraulic or pneumatic cylinder to move a contact flange;

FIG. 8 is a sectional view of an embodiment of the invention using an electro-mechanical linear actuation device to move a contact flange;

FIG. 9 is a sectional view of an embodiment of the invention using a thermally responsive material to move a contact flange;

FIG. 10 is a sectional view of an embodiment of the invention using a magnetic actuation device to move a contact flange;

FIG. 11 is a sectional view of an embodiment of the invention using a pulley with two movable contact flanges;

FIG. 12 is a sectional view of an embodiment of the invention using a pulley with two hydraulically movable contact flanges;

FIG. 13 is a sectional view of an embodiment of the invention using two controllable pulleys;

FIG. 14 is a sectional view of an embodiment of the invention using a spring venting system; [and]

FIG. 15 [is a] is a schematic view of an the variable speed drive system showing sectional views of an embodiment of the controllable and auto-tensioning pulleys;

FIG. 16 is a perspective view of a vehicle into which the variable speed drive system may be installed; and

FIG. 17 is a schematic view including an engine and pulleys of the variable speed drive system.

Marked Claims

1. A variable speed drive system for driving accessories comprising:

a rotational member;

a controllable pulley in rotational communication with said rotational member, said controllable pulley including a first movable flange and a corresponding adjustable pitch radius;

an auto-tensioning pulley driven by said controllable pulley via a first belt, said auto-tensioning pulley including a first movable flange and spring for maintaining tension in said first belt and said auto tensioning pulley having an operating speed which is infinitely variable between a minimum pitch ratio and a maximum pitch ratio;

an actuating system for moving said first movable flange of said controllable pulley; and
one or more accessories which are driven by said auto-tensioning pulley via a second belt.

14. A variable speed drive system for driving engine accessories comprising:

an engine;

a first controllable pulley in rotational communication with said engine, said first controllable pulley including a first movable flange and a corresponding adjustable pitch radius;

a second controllable pulley driven by said first controllable pulley via a first belt, said second controllable pulley having a second movable flange, and an operating speed which is infinitely variable between a minimum pitch ratio and a maximum pitch ratio;

[an] a first electro-mechanical actuating system for moving said first movable flange;
a second electro-mechanical actuating system for moving a second movable flange; and
a belt driving sheave attached to said second controllable pulley which drives one or more accessories via a second belt

17. A variable speed drive system for driving accessories comprising:

a rotational member;

an auto-tensioning pulley in rotational communication with said rotational member, said auto-tensioning pulley for maintaining tension in a first belt;

a controllable pulley driven by said auto-tensioning pulley via said first belt, said controllable pulley including a first movable flange and a corresponding adjustable pitch radius, and said controllable pulley having an operating speed which is infinitely variable between a minimum pitch ratio and a maximum pitch ratio;

an actuating system for moving said first movable flange;

a control logic module for receiving data from one or more sensing devices and for signaling the actuating system; and

one or more accessories which are driven by said controllable pulley via a second belt.

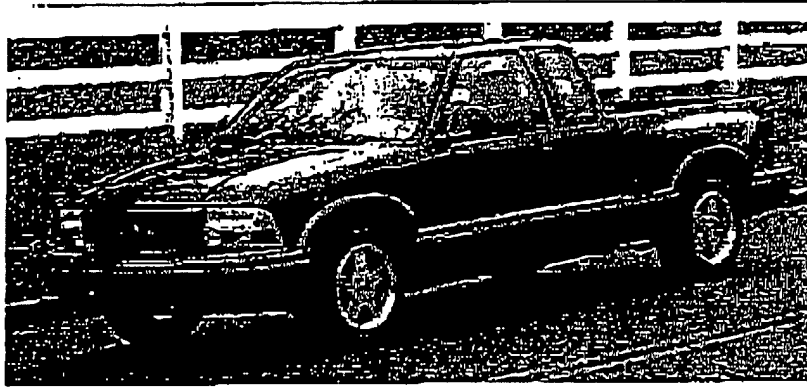
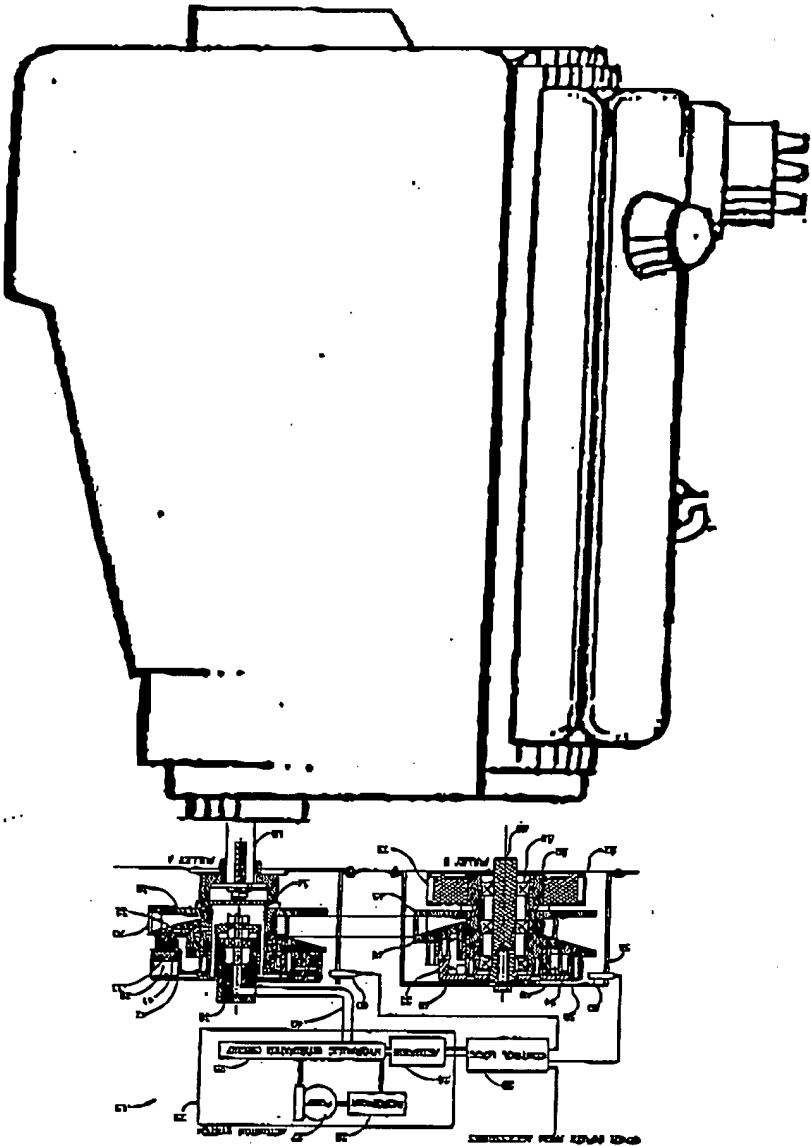


FIGURE 16

Figure 17



Front of Vehicle
→

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on this 10th day of July, 2002.

Typed or Printed name of person signing this certificate:

Joyce Ford

Signature Joyce Ford

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Warner et al.

) Examiner: Marcus Charles

)

) Art Unit: 3682

)

)

Serial No.: 09/752,136

)

Filed: December 27, 2000

)

For: **VARIABLE SPEED DRIVE
SYSTEM**

) Attorney Docket: 12052/04000

)

FAX RECEIVED**OCT 31 2003**

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITIONS OFFICE**INFORMATION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED****REQUEST**

Applicant requests that the abandonment in this case be withdrawn.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of: the Notice of Abandonment mailed by the PTO on June 30, 2003.

SUBMISSION

Submitted herewith is:

1) A copy of the page of the response mailed on December 26, 2002, showing a Certificate of Mailing executed on December 26, 2002.

2) A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated December 31, 2002.

3) A copy of the complete response previously filed.

STATEMENT

Based on personal knowledge the Transmittal and Amendment (copies of which are attached) were transmitted by first class mail on December 26, 2002. This mailing was a timely response to the Examiner's Office Action dated September 25, 2002. Please proceed with further examination of this application on the basis of the attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Acknowledgement of the active status of this application is respectfully requested. It is believed that no further fee is required relating to the filing of this Response. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172.

Reg. No. 47,401

Tel. No. 216-622-8527

Cust. No.



24024

PATENT TRADEMARK OFFICE

James A. Balazs

800 Superior Ave. Suite 1400

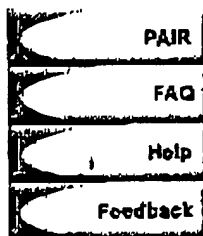
Cleveland, Ohio 44114



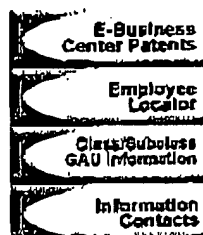
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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Search results for application number: 09/752,136			
Application Number:	09/752,136	Customer Number:	24024
Filing or 371(c) Date:	12-27-2000	Status:	Abandoned -- Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	06-30-2003
Examiner Name:	CHARLES, MARCUS	Location:	TC 3600 PARALEGAL, PK5-8A03, 703-605-4328
Group Art Unit:	3682	Location Date:	10-03-2003
Confirmation Number:	5439	Earliest Publication No:	US 2001-0049312 A1
Attorney Docket Number:	12052-04000	Earliest Publication Date:	12-06-2001
Class/ Sub-Class:	474/018	Patent Number:	-
First Named Inventor:	Steven Warner, Kent, OH	Issue Date of Patent:	-
Title Of Invention:		Variable speed drive system	

[Foreign Priority](#)[Continuity Data](#)

File Contents History		
Number	Date	Contents Description
19	07-14-2003	Petition Entered
18	06-30-2003	Mail Abandonment for Failure to Respond to Office Action
17	06-30-2003	Abandonment for Failure to Respond to Office Action
16	09-25-2002	Mail Non-Final Rejection
15	09-23-2002	Non-Final Rejection
14	07-17-2002	Date Forwarded to Examiner
13	07-11-2002	Response to Election / Restriction Filed
12	06-04-2002	Mail Restriction Requirement
11	06-03-2002	Requirement for Restriction / Election
10	06-15-2001	Information Disclosure Statement (IDS) Filed
9	03-18-2002	Information Disclosure Statement (IDS) Filed
8	06-15-2001	Information Disclosure Statement (IDS) Filed
7	06-18-2001	Case Docketed to Examiner in GAU
6	06-07-2001	Application Dispatched from OIPE
5	02-09-2001	Application Is Now Complete
4	02-09-2001	Incomplete Application under Rule 53(b) - Filing Date Assigned
3	02-09-2001	Correspondence Address Change
2	01-16-2001	IFW Scan & PACR Auto Security Review
1	12-27-2000	Initial Exam Team nn

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SUITE 1400
CLEVELAND OH 44114

OCT 17 2003

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600
Paper No 13

In re Application of
Steve E. Warner et al.
Application No. 09/752,136
Filed: December 27, 2000
For: VARIABLE SPEED DRIVE SYSTEM

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

12062/4000
This is in reply to applicant's petition to withdraw the holding of abandonment under 37 CFR 1.181, filed in the United States Patent and Trademark Office on July 14, 2003.

The petition is **DISMISSED**.

A review of the file record indicates that the application was held abandoned for failure to timely respond to the Office action dated September 25, 2002.

Any petition to withdraw the holding of abandonment based upon a Certificate of Mailing must include the following requirements:

- (1) A copy of a response bearing a signed Certificate of Mailing which includes the date of signing; and
- (2) A statement attesting to the personal knowledge of transmitting the response on the date indicated on the Certificate of Mailing(see 37 CFR 1.8 and MPEP 512).

In response to a Notice of Abandonment dated June 30, 2003, the applicant submitted the instant petition. Applicant's petition indicates that on December 26, 2002 applicant mailed a response to the Office and provides a copy of the submission showing a Certificate of Mailing dated December 26, 2002 which would be a timely filed response given the holiday on December 25, 2002.

However, a statement attesting to the personal knowledge of transmitting the response on the date indicated on the certificate, by the person who signed the certificate is required. See 37 CFR 1.8(b)(3).

Applicant also provides with the petition a postcard showing a receipt date of December 31, 2002 however this is not a timely showing in response to the Office Action mailed September 25, 2002.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.81."

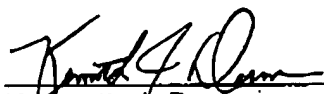
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T.L.B. IP. Dept. DBC IP. DEPT.

Telephone inquiries relative to this decision should be directed to Special Programs Examiner Ken Dorner at (703) 308-0866



Kenneth J. Dorner
Special Programs Examiner
Technology Center 3600
(703) 308-0866

KJD/ekn 10/10/03

Case Number	Ctry	Sub Case	Action Due	Due Date
1205204000	US		REQ RECONSIDERATION	17-Dec-2003

Action REQ
Type: RECONSIDERATIO
N

Verified _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Warner et al.) Examiner: Marcus Charles
Serial No.: 09/752,136)
Filed: December 27, 2000) Art Unit: 3682
For: **VARIABLE SPEED DRIVE**) Attorney Docket: 12052/04000
SYSTEM)

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Verified Statement of Jacqueline K. Boziak

1. I, Jacqueline K. Boziak, am employed as a secretary at Calfee, Halter & Griswold LLP, and submit this verified statement based upon my personal knowledge.
2. On December 26, 2002, I executed the Certificate of Mailing for the Response and Amendment in connection with the above-mentioned trademark application and mailed the Response and Amendment to the Commissioner of Patents after ensuring that the Response and Amendment had the proper address. Furthermore, I attest that the Response and Amendment included a certificate of mailing properly executed under 37 C.F.R. § 1.8 and that a return postcard was included along with the Response and Amendment.
3. Furthermore, I hereby declare that all statements made hereon of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application identified above, or any patent issuing therefrom.

Date: 10/31/03

Jacqueline K. Boziak
Jacqueline K. Boziak

**CALFEE, HALTER & GRISWOLD LLP**

October 31, 2003

TO: Office of Petitions

CONFIRMATION

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PHONE NUMBER:

SEND ONLY TO THE ABOVE FAX NUMBER:

FROM: James A. Balazs

DIRECT DIAL PHONE NUMBER: 216-622-8527

CLIENT NO.: 12052/04000

CLIENT NAME: Speed Selector, Inc

NUMBER OF PAGES (including this page): 27**MESSAGE:**CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this document is being transmitted

via Facsimile to the Commissioner for Patents,

Fax No. (703) 308-6916, on this 31st dayof October 2003.Signed: James FordFAX RECEIVED
'OCT 31 2003

PETITIONS OFFICE

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